

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CATHERINE MCKOY, MARKUS FRAZIER and
LYNN CHADWICK individually and on behalf of
all others similarly situated,

Plaintiffs,

Case No. 18-cv-09936(LGS)(SLC)

- against -

NOTICE OF MOTION

THE TRUMP CORPORATION and DONALD J.
TRUMP, in his personal capacity,

Defendants.

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PLEASE TAKE NOTICE that, upon the annexed letter brief of Peter T. Shapiro, Esq., and all prior proceedings herein, the undersigned will move at the United States Courthouse, 40 Foley Square, Courtroom 1106, New York, New York 10007, before the Honorable Lorna G. Schofield, on a date to be determined by the Court, for an Order: (a) pursuant to 28 U.S.C. § 1367(c) dismissing this case based on a discretionary determination that it would be inappropriate to exercise supplemental jurisdiction; or alternatively (b) pursuant to Rule 21, F. R. Civ. P., severing each Plaintiff's claims and pursuant to 28 U.S.C. § 1404(a) transferring Plaintiff Catherine McKoy's claims to the United States District Court for the Central District of California, Plaintiff Markus Frazier's claims to the United States District Court for the District of Maryland, and Plaintiff Lynn Chadwick's claims to the United States District Court for the Eastern District of Pennsylvania and; (c) granting such other and further relief as is just and proper.

Dated: New York, New York
October 24, 2023

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Peter T. Shapiro

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Attorneys for Defendants

CERTIFICATION OF SERVICE

Peter T. Shapiro, an attorney for defendants, hereby certifies that he caused the within notice of motion to be duly served on opposing counsel and filed via ECF on October 24, 2023.

/s/ Peter T. Shapiro

Peter T. Shapiro